17. A photo ID document comprising:

a photograph on a substrate, the photograph portraying an individual;

multi-bit information steganographically encoded within said photograph, said steganographic encoding not visibly interrupting the photograph;

wherein said encoding of the photograph serves to add noise thereto, but this noise is not perceptible as a representation of said multi-bit information except by computer analysis, wherein the encoded photograph appears to convey only an image of the individual to human viewers thereof. --

REMARKS

After entry of the foregoing amendment, claims 1-17 are pending in the application.

The concluding "wherein" clause of claim 1 has been removed from that claim and transferred to new dependent claim 8. Claims 9-14 are modeled after claims 2-7, but depend from claim 8 instead of 1. Claims 15 and 16 more specifically recite the nature of the security document. Claim 17 is modeled after claim 26 of parent patent 5,841,886, but omits certain language from the "multi-bit information" clause.

Applicant respectfully traverses the obviousness-type double patenting rejection raised against claims 1-7. Among other defects, the Examiner has failed to identify the claims in applicant's patents that are the alleged basis for the rejection. A *prima facie* case of obviousness-type double patenting is not believed established by identification of a patent without citation to specific claims that are the basis for the rejection. Until the Examiner has established a *prima facie* case, applicant has no obligation to respond substantively to the rejection.

As noted, new claim 17 is closely modeled after issued claim 26 of the '886 patent. By reason of this claim, a terminal disclaimer over the '886 patent is believed warranted, and same is submitted herewith.
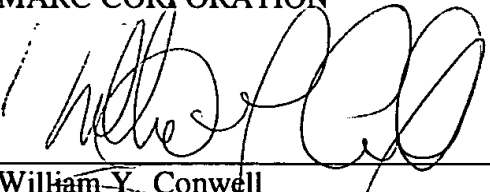
Turning to the rejection over Nathans, a Section 102 rejection requires that the cited art teach every limitation of the rejected claims. Nathans fails to do so. For example, Nathans does not teach a graphic that is "steganographically encoded." Nathans does not use the term "steganographic," and nothing in his disclosure teaches such encoding using other terminology.

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In view of the foregoing, a Notice of Allowance is respectfully solicited. If the rejections are renewed, a Notice of Appeal will follow in due course.

Respectfully submitted,

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